

Harrington Park  
ZONING BOARD OF ADJUSTMENT  
**REGULAR MEETING MINUTES**  
Wednesday, June 23, 2021 @ 7:00PM

**Chairman McLaughlin called the meeting to order at 7:00pm.**

**Open Public Meeting Act Announcement:** In compliance with Chapter 231, Public Law 1975, adequate notice of this meeting was made. It has been posted on the Bulletin Board in the Municipal Center. Copies have been mailed to THE RECORD, NORTHERN VALLEY PRESS, and the NORTH JERSEY SUBURBANITE. A copy has been filed with the Borough Clerk and copies have been mailed to individuals requesting the same.

Pursuant to Governor Murphy's Executive Orders #107 and 108 ordering Statewide lockdowns, and P.L. 2020, c. 34 permitting public bodies to conduct meetings via electronic means during declared states of emergency, the Regular meeting of the Borough of Harrington Park Board of Adjustment scheduled for June 23, 2021 at 7:00 p.m. is being conducted remotely from the electronic meeting platform Zoom.us. Members of the public can join the meeting and participate during the public comment period by joining the meeting using the Zoom mobile application on a smartphone or tablet, joining the meeting by laptop with microphone capabilities, or dialing in using a telephone to the Zoom teleconference system. Information on how to join the meeting electronically appears in the borough website.

CL checked the dial in connection and it was dialed in at this time.

**ROLL CALL**

<b>Roll Call</b>	<b>PRESENT</b>	<b>ABSENT</b>
(RM) Chairman Richard McLAUGHLIN	X	
(MR) Vice Chair Michael ROTH	X	
(JP) John POWERS	X(arrived 7:16pm)	
(RB) Robert BUDINICH	X	
(JC) Jin CHO		X
(SL) Steve LOTT		X
(SM) Stephen MARTINEZ	X	
(GZ) Gail ZACCARO (alternate a)	X	
(RF) Robert FRANK (alternate b)	X	

Also present: (JS) John Schettino, Board Attorney  
(AK) Anthony Kurus, Neglia Engineering  
(CL) Carolyn Lee, Land Use Secretary

## **MINUTES FOR APPROVAL**

May 26, 2021 minutes

The board had no questions.

<b>Vote to approve the May 26, 2021 minutes.</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH		X	X			
John POWERS						X
Robert BUDINICH					X	
Jin CHO						X
Steve LOTT						X
Stephen MARTINEZ			X			
Gail ZACCARO (alternate a)	X		X			
Robert FRANK (alternate b)			X			

## **INVOICES FOR APPROVAL**

Law Office of John L. Schettino	Attendance at meeting - 5/26/21	\$150.00
Law Office of John L. Schettino	Escrow - 21 Eastbrook Rd Resolution	<u>\$250.00</u>
<b>TOTAL</b>		<b>\$400.00</b>

There were no questions from the board.

<b>Vote to approve the invoices listed.</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH	X		X			
John POWERS						X
Robert BUDINICH			X			
Jin CHO						X
Steve LOTT						X
Stephen MARTINEZ		X				
Gail ZACCARO (alternate a)			X			
Robert FRANK (alternate b)			X			

## **HEARINGS**

**1. 34 Carmen Road - Dan & Robyn Waraksa (Front and side yard setback variance for an addition)**

Daniel Robert and Robyn Waraksa, 34 Carmen Road, Harrington Park were sworn in. They thanked the board for their time and thanked Carolyn who walked them through the process. They have been residents since 2009 and want to be part of the community for many years to come. They are seeking a front and side yard variance for a porch that will not only update and improve the property but will benefit the aesthetics of the surrounding neighborhood as well.

Douglas A. Radick, a registered architect, 243 West St. Closter, NJ was sworn in. Graduate of Pratt Institute. 30+ years licensed architect in the states in NY and NJ. He was a former Zoning Board member for Closter for 5-10 years and appeared before the Harrington Park Board and numerous boards in Bergen County. The Board accepted Mr. Raddick as an expert witness.

Mr. Waraska described the property. They are at the corner of Carmen and Parkway. The dimensions of the proposed front porch are consistent with the footprint of the existing structure which is 23.5ft (the length of the house) x 7ft (out towards Carmen). The porch will not be wider than the house as it is now. The porch will not be enclosed, but will have a roof. They do not expect to have a railing or spindles because it will be 2 steps up. Based on the design by Mr. Radick, the application was denied by the Building Department because of the side yard deficiency of 5ft and 15.5ft front yard setbacks. The existing front and side yard setbacks are non-conforming because of the age of the house. The porch would extend the 5ft deficiency but will not increase it. The house on the right when coming out of the house is close and was built in 1982. The Waraksa's house was built prior to theirs. There is a rhododendron, dogwood tree, and white pine trees that divide the houses. Only the dogwood tree at the front corner of the house might be removed. No other plantings would be removed. Our Lady of Victory is across Parkway. The house across Carmen Rd that belongs to the Kellers is situated higher than the Waraksa's house. The Kellers have plantings and pachysandras between the house and Carmen Rd. Diagonally, is the Waldron's house. There is a pine tree at the corner between the houses. The Waldrons have recently put in plantings around the property. They do not see much activity at the convent. The Waraksas do not believe that the proposed changes would be a detriment to the Kellers. The Waraskas have spoken with the Kellers and sent notices and they seem to be supportive. They believe there is no effect on the rear yard neighbor. As an upgrade and improvement to the property, it would be nice to have their packages covered from the weather. They enjoy the Memorial Day Parade and would like to sit on the porch like their neighbors. A porch would be consistent with the neighborhood.

The board members did not have any questions. There were no questions or comments from the public.

Mr. Radick described the porch and the impact on the neighboring properties. The Waraksas asked for help with the existing (20ft x 12ft x 6.1ft high) garage. The house is diminutive. The ceiling height is 7ft 5in on the second floor. The existing house design is a colonial copy that flares the roof over the second floor living space which eliminates living space. Their child's bedroom in the back is 8ft 9in wide by 10ft. It is a tight tiny house. The second floor does not cover the footprint on the first floor. They decided to enlarge the garage and then decided to fill in the useless roof space. To avoid a boxy building, he stepped the building by 16ft on the side yard which is currently in violation at 10ft. The side yard setback is not violated on Parkway. The porch would soften the mass of the building since it is longer than what was there before. The porch is columns, mostly open space and not a solid opaque wall. It would be a lovely addition to the new house. He reversed the roof line to follow the building mass. He has pulled the building away from the neighboring houses. The height of the building is not violated. The height of the building steps down as the building steps down. The high point is on Carmen and slopes down to Parkway about 7ft to 9ft.

The meeting was open for the board's questions. Mr. Radick replied that the porch is the part of the addition that is triggering a variance. Building coverage is currently 9.7%. 18% is proposed where 25% is permitted. 7ft out for the porch is what they are asking and 10ft would be asking for too much.

There were no members of the public with questions.

The hearing was adjourned to the July 28th meeting at 7pm. During this time the individual board members will go to the house to look at the surrounding neighborhood. If they need to go onto the property, they will ring the doorbell first. The applicants agreed.

CL will ask the applicants to mark out the area of the new structure.

**2. 17 South Avenue - Vincent Ferrentino (Front yard setback & lot coverage variance for an addition)**

Vincent and Desi Ferrentino, 17 South Ave., Harrington Park were sworn in. Anthony Malara, architect for the Ferrentino, 214 Martha Road, Harrington Park was sworn in. They would like to rebuild the front porch and extend it to the side, not coming out further than the original setback. The original porch is in the middle of the house, coming out about 8ft aligning with the porch. They would like to move the kitchen to the

back of the house and a door to the back of the house where the proposed extended deck would be. The front porch is not winterized and old. They would like to extend the front of the house with an open porch. The neighboring houses have approximately the same setback. There may be other houses that are a little closer to the street. They are not extending the back any further. They are extending it to the side.

The board members didn't have any questions for the applicants. The public did not have any questions or comments for the applicants.

Anthony Malara, Bachelors of Civil Engineering from Villanova University 1993, Graduate of Syracuse School of Architecture 1998, approximately 25 years in the architecture and civil engineering field. Currently licensed in NY and NJ. He has testified in various land use boards in Bergen County including Harrington Park Planning Board in the past. The board accepted Mr. Malara as an expert.

Mr. Malara shared a picture of 17 South Ave, front of the house. The space from the front of the house toward the side would be the porch. They are asking for a front yard setback and coverage and improved coverage variance. The structure is approximately 13ft wide. The improvement would start at the existing enclosed structure and extend to a porch towards the driveway.

Mr. Malara shared the proposed plan of the front elevation. The existing enclosed section would remain on the left. The roofline would change to a simple shed roof and continue over the front of the house to the side toward the driveway which would become the porch. The steps would be moved over. The 13ft x 8ft porch would allow them to put some chairs and a table on it to use it practically.

Mr. Malara referred back to the first set of pictures to describe the side of the house. The porch structure shed roof would come out in the front off the 2nd floor. Because of the cantilever framing of the 2nd floor, they would be coming out about 6ft to align with the shed roof. Because of the recess, there is a nice depth to the porch. The rear of the house has an existing deck when they purchased the house in 2006. There is enough space for a grill and firewood, but not a usable space for enjoyment. The proposed deck is to extend the existing deck to the opposite side of the house and have the stairs extend out the back (proposed deck plan shared on screen). It would double the size of the deck and allow them to have chairs and a table. The original layout of the house requires them to go through the bathroom to get to the deck.

The request for relief, this would give them the ability to reorganize the house to a much more usable form on the interior and gives them a nice accessory with a usable deck.

Mr. Malara showed the front “bump out” of the house. The existing front doors are where the proposed windows are planned. The front wall would be extended along the front of the house for a porch where 2 people can sit.

In keeping with the taste of the neighborhood, by creating the triangular cornice of the front of the house above the stairs, lends the feature as an element of charm similar to the properties of the surrounding neighborhood. Additional pictures of the neighboring houses were shown with similar bump outs, porches and triangular entrances. They would like to make an improvement by creating a simple shed roof with a small scale, but traditional area over the proposed stair and would align with the flavor of South Ave. Mr. Malara shared a picture of South Ave. from Google Earth. The dotted line showed the 21ft setback of the foundation. Some houses are closer to the street and some further back. The Ferrentino's house is probably one of the houses that are set back further. The porch structure is aligned with the bump out. They are asking for a couple of extra feet for the triangular cornice over the stairway for the 19.33ft front yard setback. It would make a dramatic improvement to the front of the house.

The existing front yard setback is 21.25ft. The proposed 19.33ft front yard setback. When purchased, the property coverage was existing non-conforming. Roofing over the porch extension and deck coverage in the back would increase the coverage by 3%. Mr. Malara explained that the lot size is smaller than required for the R-1 District and the house would comply if it were on a lot that conforms. The Ferrintinos are asking for a home that allows some level of enjoyment on par with other homes in Harrington Park.

The existing deck is about 8ft from the foundation of the house to the face of the railing and about 10ft wide with a 4 riser stair. The extension of the deck is 14ft 6in and 8ft wide.

There were no members for the public with questions or comments.

The hearing is scheduled for July 28th at 7pm. In the meantime, the board members will go out individually to take a look at the property and the proposed locations of the improvements. The applicants were asked to mark out the area covered by the new structures for the board members.

The applicants thanked the board for their time.

## **RESOLUTIONS**

### **1. 21 Eastbrook Road - 5ft fence on front yard of a corner lot (Mr. & Mrs. Dank)**

There were no questions from the board.

<b>Vote to approve the written resolution for 21 Eastbrook Rd. for a 5ft fence on the corner lot.</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH			X			
John POWERS		X	X			
Robert BUDINICH					X	
Jin CHO						X
Steve LOTT						X
Stephen MARTINEZ			X			
Gail ZACCARO (alternate a)	X		X			
Robert FRANK (alternate b)			X			

### **MEETING OPEN TO THE PUBLIC**

There were no members of the public present at the meeting at this time.

### **OLD BUSINESS**

There was no old business.

### **NEW BUSINESS**

John Powers announced his resignation as a Board of Adjustment member. He is moving and enjoyed working with the members of the board. The members thanked him for his time and effort and wished him luck in his new location.

### **ADJOURN**

Motion: JP Second: GZ

In favor, all said “aye”. None opposed.

Meeting adjourned at 7:57pm.

NEXT SCHEDULED ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
**Wednesday, July 28, 2021 at 7pm**